

Membership Balance Plan
Secretary of the Navy Advisory Panel

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, pursuant to the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Secretary of the Navy Advisory Panel (“the Panel”).
2. Mission/Function: The Panel, under the provisions of the FACA, shall provide the Secretary of Defense, through the Secretary of the Navy, independent advice and recommendations on critical matters concerning the Department of the Navy (DON). The Panel’s focus will include DON administration and management, recruitment and training, equipment acquisition and maintenance, military and civilian manpower systems, basing and support infrastructure, and logistical support. The Panel will also focus on research and development matters confronting the U.S. Navy and the U.S. Marine Corps and on matters pertaining to preserving the history and heritage of the Naval Services.
3. Points of View: The Panel shall be composed of no more than 15 members who have extensive professional experience and backgrounds in the fields of science, research, finance, history, engineering, business, and industry.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before him or her, and does so without representing any particular point of view and in a manner that is free from conflict of interest. Panel members appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants, under the authority of 5 U.S.C. § 3109, to serve as special government employee (SGE) members.

The DoD, in selecting potential candidates for the Panel, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters being handled by the Panel. The Department has found that viewing the complex issues facing the Department, through a multidiscipline advisory committee, provides the Department and, more importantly, the American public, with a broader understanding of the issues on which to base subsequent policy decisions.

The Panel’s membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Panel by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Navy. In addition, the Department, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD-established or supported advisory committees.

4. Other Balance Factors: N/A
5. Candidate Identification Process: The DoD, in selecting potential candidates for the Panel, reviews the educational and professional credentials of individuals with extensive backgrounds in the areas of primary interest to the Panel. Potential candidates are identified by the professional staff of the Office of the Secretary of the Navy and, in some instances, based upon discussions with other professionals

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within the DoD, in consultation with Office of General Counsel of the Department of Defense (OGC DoD), White House Liaison, and the Director of Administration and Management.

Once potential candidates are identified, the Secretary of the Navy reviews the credentials of each individual and narrows the list of candidates. During his or her review, the Secretary of the Navy strives to achieve a balance between the professional credentials of the individuals and the near-term subject matter that the Secretary of the Navy anticipates will be reviewed by the Panel.

Once the Secretary of the Navy has narrowed the list of candidates and before formal nomination to the Secretary of Defense, the list of potential candidates undergoes a review by the OGC DoD and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, such as compliance with the advisory committee's charter and membership balance plan. Following this review, the Secretary of the Navy formally nominates the potential candidates to the Secretary of Defense or the Deputy Secretary of Defense for approval. Pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to serve on DoD established or supported advisory committees and subcommittees.

Following approval by the Secretary of Defense or the Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of members to the Panel, to include its subcommittees, for one-to-four year terms of service, with annual renewals. However, no member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Panel, to include its subcommittees. Such appointments will normally be staggered among the Panel membership to ensure an orderly turnover in the Panel's overall composition on a periodic basis.

Membership vacancies for the Panel and its subcommittees will be filled in the same manner as described in the previous five paragraphs above.

6. Subcommittee Balance: DoD, when necessary and consistent with the Panel's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Panel.

The Secretary of Defense or the Deputy Secretary of Defense shall approve the appointment of subcommittee members in the same manner as members to the Panel. Individuals considered for appointment to any subcommittee of the Panel may come from the Panel itself or from new nominees, as recommended by the Secretary of the Navy and based upon the subject matters under consideration, but they must be approved by the Secretary of Defense or the Deputy Secretary of Defense before participating in any subcommittee work.

Currently, DoD has approved the following two permanent subcommittees to the Panel:

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- a) The Naval Research Advisory Subcommittee shall be composed of not more than seven members and shall provide independent advice and recommendations on scientific, technical, research, and development matters confronting the U.S. Navy and the U.S. Marine Corps. Pursuant to 10 U.S.C. § 5024(a), the Subcommittee shall consist of civilians preeminent in the fields of science, research, and development work, and one member must be from the field of medicine.
- b) The Secretary of the Navy's Advisory Subcommittee on Naval History shall be composed of not more than 15 members and shall provide independent advice and recommendations on matters pertaining to preserving the heritage and legacy of the Naval Services and disseminating their rich history to the Service and the American public. Advisory topics may include: professional standards, methods, program priorities, cooperative relationships in Marine Corps and Navy's historical research and publication programs, museums, archives, archeology, libraries, manuscript collections, rare book collections, art collections, preservation, and curatorial activities. The subcommittee shall consist of civilians who have broad managerial experience, vision, and understanding in one or more of the following areas: military and maritime history, archives, museology, art, library science, and information technology.

As required by the Panel's charter, these Subcommittees operate under the provisions of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), governing Federal statutes and regulations, and DoD policy.

- 7. Other: As nominees are considered for appointment to the Panel, the DoD adheres to the rules and regulations issued by the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to Federal Boards and Commissions (76 FR 61756; October 5, 2011) and the rules and regulations issued by the Office of Government Ethics.
- 8. Date Prepared/Updated: January 2, 2014